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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/817,874	03/26/2001	Chad D. Quist	DON01 P-889	7627

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EXAMINER

LAO, LUN YI

ART UNIT	PAPER NUMBER
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2673

DATE MAILED: 11/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/817,874	Applicant(s) QUIST ET AL.	
	Examiner Lao Y Lun	Art Unit 2673	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-85 is/are pending in the application.
- 4a) Of the above claim(s) 37 and 67 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36, 38-66 and 68-85 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10/1/2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 3-8, 15, 17-21, 26, 28-32, 34, 41-48, 51-55, 58-59, 61, 63-66 and 73-85 are rejected under 35 U.S.C. 103(a) as being unpatentable UI Azam et al(5,566,224) in view of Bauer et al(6,262,831).

As to claims 1, 3-8, 15, 17-21, 26, 28-32, 34, 41-48, 51-55, 58-59, 61, 63-66 and 73-85, UI Azam et al teach an interactive a vehicular mirror system comprising an interior rearview mirror assembly having a mirror casing and a reflective element with a rearward field of view (see figure 2; column 3, lines 60-67 and column 4, lines 54-57); a display(108)(see figures 1-2; column 3, lines 33-36); and a user actuable selector elements(separate buttons or touch display elements) (see figure 2; column 4, lines 61-68; column 5, lines 1-9 and lines 51-61; and column 9, lines 33-35). UI Azam et al teach a reflector(109, or 209, electrochromic mirror) is semi-transparent reflector and a display(108 or 208) located behind the reflector(109 or 209)(see figure 1-2 and column 3, lines 39-45). UI Azam et al teach a first display(e.g. 01) being generated in

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response to the first touch sensitive element(see figures 2; column 4, lines 58-68 and column 5, lines 1-12) and a second display(phone numbers(e.g. 708551212)) correspond to a second touch sensitive element(second touch display element or separate button)(see figure 2; column 4, lines 58-68; column 5, lines 1-12 and lines 60-65). Bauer et al teach a first and second touch sensitive elements(buttons) provided on a bezel portion(see figure 2 and column 5, lines 9-12).

As to claim 1, UI Azam et al teach a display(108) provided at interior rearview reflective mirror(109)(see figures 1-2; column 3, lines 33-45 and column 9, lines 3-10) and the display(108) being generated in response to the user selector element(touch sensitive element) being actuated by the user(see figures 1-2; column 4, lines 58-68; column 3, lines 33-45 and column 5, lines 1-12).

UI Azam et al fail to disclose a second display is generated by actuating a second touch sensitive element.

Bauer et al teaches a vehicular mirror system having a plurality of display(18) and a second display(18) located at the bottom of the rearview mirror(10) will be generated by actuating a second touch sensitive element(22)(see figures 1-2; column 2, lines 60-68 and column 3, lines 1-30). It would have been obvious to have modified UI Azam et al with the teaching of Bauer et al, so as to provide more display information to a user without increasing the size of a display.

As to claim 3, UI Azam et al teach the reflective element is electrochromic mirror(see figure 1; column 3, lines 39-45)

As to claims 4-8, 19, 32, 34, 59 and 66, UI Azam et al teach the selector element is provided on an outer surface, a lower portion or perimeter portion of the reflecting element(209)(see figure 2; column 4, lines 62-68; column 5, lines 1-9 and lines 51-61 and column 9, lines 33-35).

As to claims 7, 33, 64, 65, 83 and 85, Bauer et al teach display element having a re-configurable display element whereby the reconfigurable display element associated with more than one function(telephone, GPS receiver, tire pressure, time of data or pager, etc.)(see figures 1-2 and column 3, lines 7-30).

As to claims 16, 62, 67, 75 and 84, Inoue et al teach a display element having an icon(I)(see figures 4A-10A and column 7, lines 25-32).

As to claims 17-18, 42-43, 63 and 80, UI Azam et al teach a display(108) is an LCD display which has a transparent state(see column 3, lines 28-32).

As to claims 20, 31 and 81-82, UI Azam et al teach a reflector(109, or 209, electrochromic mirror) is semi-transparent reflector and a display(108 or 208) located behind the reflector(109 or 209)(see figure 1-2 and column 3, lines 39-45).

As to claim 21, UI Azam et al teach a semitransparent reflector(109) having a metal coating(chromium) and a transparent electrodes(electro-chromic mirror)(see figures 1-2; column 3, lines 33-45).

As to claims 26 and 52, Bauer et al teach a portion of a reflector(14) has been removed from the mirror system(10)(see figures 1-2; column 2, lines 41-66).

As to claims 45-47, 58 and 76, UI Azam et al teach a mirror system comprising a

rearward field of view image(see figure 2 and column 4, lines 54-57); a telephone information display and scrolling images(see figure 2 and column 5 and 3-9).

As to claim 51, UI Azam et al teach the reflective element is electrochromic reflecting element(109)(see figure 1; column 3, lines 39-45)

As to claim 55, UI Azam et al teach a mirror system comprising a rearward field of view image(see figure 2 and column 4, lines 54-57).

As to claim 54, Bauer et al teach display element is selected from one of the group consisting of a vehicle status information(vehicle heading); a page messaging information display; a status of inflation of tires information(tire pressure); a compass information display; a telephone number information; a temperature information; time information display; etc.(see figures 1-2 and column 3, lines 8-22).

As to claims 73-74, UI Azam et al teach a display having an alpha-numeric image and a multi-pixel display(see figure 2 and column 3, lines 28-32).

As to claims 44 and 77- 79, UI Azam et al teach a fixed display and a scrolling display(telephone number area for displaying video images(see figure 2; column 3, lines 21-32 and column 5, lines 3-7).

As to claims 44 and 77-79, Bauer et al teach a fixed display(18 on the upper left rearview mirror) for displaying external temperature and /or vehicle heading(see figure 1 and column 3, lines 8-11).

3. Claims 16, 62 and 56-57 are rejected under 35 U.S.C. 103(a) as being unpatentable by UI Azam et al(5,566,224) in view of Bauer et al(6,262,831) and

Schofield et al(5,786,772).

As to claims 16 and 62, UI Azam et al as modified fail to disclose a display element having an icon.

Schofield et al teach a vehicular mirror system comprising a display element with an icon(see figures 2-3, 5; column 5, lines 42-68 and column 6, lines 1-9). It would have been obvious to have modified UI Azam et al as modified with the teaching of Schofield et al, so as to provide a quick way of conveying information to a user and display multiple parameters without increasing the size of a display(see column 5, lines 65-68).

As to claims 56-57, UI Azam et al fail to disclose an image capturing device mounted on a side mirror.

Schofield et al teach a vehicular mirror display system comprising an image capturing device(20a, 20b) mounted on a side mirror(14, 16)(see figures 3-5; column 2, lines 57-68; and column 3, lines 1-14). It would have been obvious to have modified UI Azam et al with the teaching of Schofield et al, so as to assist the driver in a premaneuver evaluation of conditions surrounding the vehicle(see abstract).

4. Claims 9-14, 22-25, 27, 35-40, 60 and 69-72 are rejected under 35 U.S.C. 103(a) as being unpatentable over UI Azam et al in view of Bauer et al and Ide et al(4,707,570).

As to claims 9-14, 22-25, 27, 35-40, 60 and 69-72, UI Azam et al as modified fail to point out the structure of the touch sensitive element.

Ide et al teach a transparent touch sensitive pad comprising a plurality of stacked

transparent conductive coating(indium tin oxide(ITO), 22A, 24A))(see figures 1-6); column 3, lines 23-32; column 5, lines 5-24 and column 6, lines 5-29). It would have been obvious to have modified UI Azam et al as modified with the teaching of Ide et al, since UI Azam et al has disclosed a system having an LCD display and a sensing function(see figures 1-2; column 3, lines 28-32; column 5, lines 3-9 and lines 51-61; and column 9, lines 33-35); Ide et al have disclosed a touch sensitive pad placed over an LCD display to perform a touch sensing function and a user could more clear how the system sensing a touch point.

As to claims 23-25, UI Azam et al teach an LCD display(108) or LED display(108) and the display(108) located behind the reflecting element(109)(see figure 1, and column 3, lines 29-45).

As to claims 69-72, UI Azam et al teach a touch sensitive element can be activated by an user(see figure 2; column 5, lines 5-9 and lines 55-61) and Ide et al teach a touch sensitive element(137, 138) can be activated by a stylus or a finger(see figures 2-3, 5-6 and column 4, lines 49-63).

5. Claims 2 and 49-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over UI Azam et al(5,566,224) in view of Bauer et al and Blank et al(5,576,687).

As to claims 2 and 49-50, UI Azam et al as modified fail to disclose the reflecting element having a prismatic reflecting element.

Blank et al teach a prismatic reflecting element(see figures 3A-3B; column 1, lines

56-68 and column 2, lines 1-20). It would have been obvious to have modified UI Azam et al as with the teaching of Blank et al, since Blank et al teach an electrochromic reflecting element could be replaced by a prismatic reflecting element(see column 2, lines 12-17) and the prismatic reflecting element would be more common and economic than the electrochromic reflecting element.

As to claim 50, Washizuka et al teach the reflector(40) being partially removed to form a window for a display(LCD display)(see figures 1-2; column 2, lines 57-68 and column 3, lines 1-10).

7. Claim 68 is rejected under 35 U.S.C. 103(a) as being unpatentable over UI Azam et al(5,566,224) in view of Bauer et al and Friend et al(6,497,368).

As to claim 68, UI Azam et al as modified fail to disclose a back-lit touch sensitive element.

As to claim 68, Friend et al(6,497,368) teach a back-light touch sensitive element(137,138)(see figures 1-2 and column 8, lines 27-44). It would have been obvious to have modified UI Azam et al with the teaching of Friend et al, so a user could still input data in a dark environment(see UI Azam et al's column 8, lines 34-36).

Conclusion

8. Applicant's arguments with respect to claims 1-85 have been considered but are moot in view of the new ground(s) of rejection.

9. Any inquiry concerning this communication or earlier communications from the

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examiner should be directed to Lun-yi, Lao whose telephone number is (703) 305-4873.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala, can be reached at (703) 305-4938.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

November 5, 2004

Lun-yi Lao

Lun-yi Lao
Primary Examiner